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ABSTRACT

If the educational community has been less influential than desired or needed in the past, it is now time for us to reappraise our behavior and take steps to become more influential in the state legislatures and the Congress of the United States. Today, in order to be heard, one must be a part of a more formal lobby effort. Lobbying can be characterized as multiple strategies from letter writing to newspaper ads to educational campaigns. Educators must justify the priorities and effectiveness of their current operations as well as encourage the enactment and financing of new legislation that will meet future needs and priorities. Political influencing is a long-range strategy. Suggestions are made of ways that school administrators, educators, and school board members can increase political effectiveness in gaining needed legislation. (Author/MLF)

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# HOW TO GET NEEDED STATE AND FEDERAL LEGISLATION PASSED

Clinic B-28

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BY

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In generations past, education has been held to be a member of the Fourth Estate, immune to and noninvolved in the forging political processes which create and sustain public services. I assume, this morning, that none of you in this room still believe that this is the current state of affairs.

It is now apparent that the nonpolitical educational era ended when Stephen Bailey of Syracuse University wrote in 1962, "For generations, education has been bathed in an anti-political atmosphere. Cultivation of the proposition that the school should be kept out of politics is in itself one of the most fascinating political items of American history." If there was any question as to education's noninvolvement in politics prior to the 1960s, there certainly should be none today. One has only to view recent state and federal legislative enactments, such as Public Law 94-142 (handicapped); read reports of state and local administration of federal programs by the Office of Budget and Management; and skim through the accountability legislation in 33 states to be convinced that the conventional rhetoric, admonitions, and pleadings to legislative bodies will influence little, if anything, about gaining enactment of needed educational legislation in the future. The era of educational show-and-tell is over. Today austerity, inflation, and public skepticism of educational effectiveness confront educational representatives at almost every legislative turn. It is evident that educators and legislators are listening to very different drummers as they come face-to-face with educational issues and the means by which they are resolved.

If the educational community has been less influential than desired or needed in the past, it is now time for us to reappraise our behavior and take steps to become more influential in the state legislatures and the Congress of the United States. In case there is any question of the real name of the game that we are talking about, it is called lobbying. If you don't want to play by those rules, you may not be playing.

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Today, I can only speak to you as one who has been associated as a part-time legislative liaison person from a state educational agency for the past ten years. The early years of this experience can best be characterized as a now-and-then educational advisor to the legislative processes.

Today, in order to be heard, one must be a part of a more formal lobby effort. Lobbying today is a major industry, and it is out to get results. It pursues the getting of results wherever they are likely to be found in the government process, and interest groups gear their operations to the power structures and procedures of state legislatures and the Congress.

Lobbying can be characterized as multiple strategies from letter writing to newspaper ads to educational campaigns. In all cases, results are obtained from having <u>impact</u>. Impact depends upon:

- The skill of <u>employed</u> liaison representatives
- Numbers of persons engaged in efforts
- Developing groundswells of public sentiment
- Coalition with other interest groups
- Providing legislative staffs with technical assistance
- Maintaining contacts with influential persons
- Availability of financial resources

Today, members of this panel are supposed to succinctly identify ways and means by which school authorities, educators, and others interested in education can become more effective in assuring that needed and desirable legislation is enacted in the future by the state legislatures and the Congress.

From my own point of view, I find the current legislative climate very different from that which existed only a few years ago. I will mention several elements of this climate at the outset only to emphasize the fact that success or failure must be seen within the context of the present climate in making judgments about being effective or noneffective. Dimensions of today's current educational-political climate seem to be:

1. A growing idealogical struggle for influence is going on between federal, state, and local educational agencies. It is a struggle for <u>power</u>, <u>leverage</u>, and <u>influence</u> rather than a struggle in outdoing one another to provide fiscal resources to local school districts.

2. The coalicion of educational groups is breaking down, at least on the federal scene. Today, these groups can be seen in competition with each other for existing fiscal resources; struggling over influencing power and roles; and making ineffective responses to demands for accountability from local, state, and federal critics.

3. The development of legislation at both the state and federal levels seems to be in the hands of an increasing number of legislative aids and congressional technicrats. Legislators and congressmen, confronted with massive demands for their time and attention, are turning the development of legislation over to staff members who analyze the data, identify the need and priority, and increasingly develop the legislatively prescribed processes to meet these priorities.

4. Scarce fiscal resources bring on vigorous demands from legislative bodies for identification of priorities, proof of need, and a demonstration of the cost-effectiveness of current programs.

5. Declining enrollments in most all educational jurisdictions bring on expectations on the part of the public as well as the legislators and congressmen who represent them that some kinds of economies of scale should accompany enrollment declines. The fact that inflation and meeting new needs within and for the existing populations does not give rise to economies and savings causes many of them to question the effectiveness of the management of time and resources by school officials.

The issue today, at least in this clinic, is that of identifying ways and means by which you as school administrators, educators, and school board members can increase your political effectiveness in gaining needed legislation.

This occasion gives rise to the temptation to present a laundry list or cookbook of characteristics or ingredients which can be used to practice our educational politics. I am sure each of us at the rostrum this morning have their own unique prescription for influencing the enactment of needed state and federal legislation. My own is somewhat as follows:

1. Be informed and armed with the facts on how legislation has or will affect your own district. Glittering generalities and admonitions to committees at public hearings or legislators will no longer carry the day. In fact, you cannot even be assured of silent treatment at hearings without a vigorous cross examination! Don't go beyond the state of your knowledge in either written or verbal testimony on issues. Nothing is so devastating as to present the wrong information on the wrong issue on the wrong day in the wrong way.

2. Know the established pecking order of political organization at the legislative level. Influencing must begin and work within the established processes, and they should be used wisely and properly:

a. Legislative staffers are important. Don't ignore or bypass them since they have a primary role in the analysis of data and the development of initial drafts of legislation upon which committees or legislative bodies will act.

b. Be aware of legislative committee staff and their role in evaluating, developing, or modifying legislation. Changes in legislative drafts come about hard after introduction or markup hearings on legislative bills.

3. Know your elected representatives, communicate with them regularly, and help them with their constituent problems, don't become one! Helping, rather than confronting and coercing, pays dividends in long-range influencing. Cover the home front. State and federal organizational representatives can't do it, and they won't be effective unless you do it!

4. If you want to take issue with those who are not in agreement with your views, it is usually more profitable to do so in other arenas than public legislative sessions. Most political office-holders feel they already have enough political liabilities without being upstaged by new ones which they don't want to cope with politically, at least not at the moment.

- Remember that politics, politicians, and reelection processes go hand in hand on an ongoing basis.

- Give public credit when credit is due.

- Help establish educational planks and platforms at the grassroots.

5. Work within the framework of coalitions whenever possible. Numbers are important, and demonstrations of unity and consensus are helpful in gaining political leverage on legislation which may be controversial or on which different points of view exist. Give legislators a feeling of confidence that you are helping them stay out of troubled waters.

6. Work through organizational and coordinating representatives, they:

a. Know processes.

b. Have established relationships.

c. Know where issue-sympathetic friends are.

7. When communicating in writing to legislators and congressional delegations, keep to one issue and one or two pages. Present your facts and the reasons for the position you are requesting support upon. These documents will find their way into other legislative processes and staff hands, and keeping the issues apart means that maximum possibility will exist for the document getting to the point of influence within the legislative process.

8. When making personal visits to offices of legislators and their staffs:

   a. Make appointments and keep them on the date and within the time set.

   b. Leave copies of positions you want taken, supported by data and facts, in the hands of the person with whom you talk.

   c. When you get back home, acknowledge your visit, help received, and the position you have espoused on the specific issues in writing.

9. Pay dutiful attention to nonsession politics. There are many opportunities to gain influence between legislative sessions, and being active in and among those political interests during the off-sessions means you may establish a basis for exerting your influence and enable you to gain access during the more formal legislative processes through your representative.

10. Analyze the current mainstream of the political and public concerns. Attempt to get a feel of the public's mainstream of these concerns and whenever possible ride issues and problems on this mainstream rather than send them bucking the tide in the current where they will often languish for the lack of attention or priority. We should also be mindful of the fact that educational progress usually comes over the long rather than the short term.

11. Remember that political actions often reflect the art of political compromise. Compromise is forged by the political actors, and unless especially merited, such actions should not be bad-mouthed back home. Oftentimes, an individual must make the best of very difficult choices under extremely difficult conditions. Looking backward or second-guessing rather than forward looking may not produce a desirable effect for your future relations with the principal actors.

To summarize, educators are in a critical period in which they must justify the priorities and effectiveness of their current operations at home as well as encourage the enactment and financing of new legislation which will meet future needs and priorities. Political influencing is a long-range strategy, and to be influential over the long haul is not to become a harbinger of crisis upon crisis.